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PART VII

PUBLIC SERVICE COMMISSION'S ADVERTISEMENTS

OFFICE OF THE SECRETARY, MYSORE PUBLIC SERVICE COMMISSION, "PARK HOUSE", BANGALORE-1.

Notification dated 11th January 1971.

No. E. 2327/70-71/PSC. A competitive examination for recruitment to the cadre of Munsiffs in the Mysore Judicial Service will be held by the Mysore Public Service Commission at Bangalore on 9th and 10th March 1971.

2. The scheme and syllabus of the examination are published at Appendix I to this Notification.

3 This scale of pay of the post is Rs. 400-30-640-EB-40-800-50-950.

4 A Government servant applying for admission to the examination for recruitment of Munsiffs shall submit his/her application through the authority competent to appoint him/her to the post which he/she holds at the time of making the applications :

Provided that the rule shall not be applicable to a Government servant employed as a local candidate.

5 Form of application :—Candidates must apply for admission to the examination in the *pro forma* prescribed in Appendix II to this Notification. The application form in duplicate should be type-written and filled up by the candidate in his/her own handwriting.

6 Minimum Qualification:—No person shall be eligible for appointment as Munsiff unless he/she possesses the following qualifications :—

(1) Must be a citizen of India.

(2) Must be a Graduate in Law of any University established by Law in India or possess a qualification recognised as equivalent by Government in consultation with the High Court and the Commission.

(3) Must be (i) practising in Courts of Civil and Criminal Jurisdiction in India for a period of not less than four years immediately before the last date fixed for the submission of the application by candidate or (ii) must be a Police Prosecutor or Assistant Public Prosecutor in any of the Criminal Courts in the State of Mysore or a ministerial employee of the High Court of Mysore or a Court subordinate to the High Court of Mysore or in the Law Department of the Mysore Government Secretariat or in the Office of the Advocate General for Mysore the total period of service and the period of practice if any together being not less than four years, immediately before the last date fixed for submission of applications by the candidate.

Note:- Persons appointed to the cadre of Munsiffs temporarily under Rule 15-A of the Mysore Munsiffs (Recruitment) Rules, 1958, as it stood prior to the repeal by the Mysore Munsiffs (Recruitment) (Second Amendment) Rules, 1963, may also apply for recruitment by competitive examination if prior to such appointment they were practising in Courts of Civil and Criminal jurisdiction in India or were holding any post specified in sub-item (ii) of item (3) of para 6 ante and for purpose of determining the period specified in sub-items (i) and (ii) of item (iii) of the said para 6 the period of the service in the cadre of Munsiffs shall be deemed to be in continuation of the period of practise in Courts or the period of Service in the post held by them, as the case may be, immediately before appointment to the cadre of Munsiffs.

(4) Must have attained the age of 23 years and not have attained the age of 40 years if he belongs to the Scheduled Castes or the Scheduled Tribes or 35 years if he does not belong to the Scheduled Castes, or the Scheduled Tribes on the last date fixed for submission of applications.

7 Proof of Age :—Copies of the S.S.L.C., or S.S.C. or Matriculation Examination certificates or of any certificate issued by any College or University attended by the candidate or an extract of the Birth Register duly attested by any of the Officers referred to in item 8 below showing the date of birth, should be attached to the application in duplicate.

8 Copies of certificates and marks cards of the degree examination prescribed should be invariably attached to the application in duplicate duly attested by any of the following only:—

(a) Gazetted Officers.
(b) Sub-Registrars.
(c) Head Mastres or Head Mistresses or Principals of Government, Municipal, District Boards, Aided or Private High Schools
(d) Principals of Colleges affiliated to Universities.
(e) Members of Parliament:
(f) Members of State Legislatures.

Note : The copies will not be returned.

9 No male candidate who has more than one wife living and no lady candidate who has married a person already having another wife living shall be eligible for appointment as Munsiff, unless they have been exempted by the Government from the operation of this rule.

10. Application fees:—The candidate is required to remit along with the application a fee of Rs. 60. In the case of candidates belonging to Scheduled Castes and Scheduled Tribes and candidates who are goldsmiths or members of the families of the goldsmiths and are certified by the Tahsildars of the Taluk as having been displaced by their business as a result of Gold Control Order 1962, the prescribed fee payable by them is Rs. 15 only.

(ii) The fee should be remitted into the State Government Treasury/Reserve Bank of India under the head "B" "XXI Miscellaneous Departments (e) Miscellaneous "B" Public Service Commission Receipts", and the Treasury Receipt obtained therefor should be sent with the application. Under the heading "on what account" in the Treasury Receipt, the number and date of the Notification should be given. Applications received without the fee shall be rejected. Fees once paid shall not be refunded.

(iii) Candidates may also send the fee by Crossed Indian Postal Order made payable to the Secretary, Mysore Public Service Commission at Bangalore, in which case the number and date of the Indian Postal Order should also be mentioned in the application. Postal Orders which are made payable other than to the Secretary, Mysore Public Service Commission, or at any other place than Bangalore or which are cut, defaced or mutilated or on which erasures or alteration have been made will not be accepted under any circumstances.

(iv) No notice will be taken of the application in case the Treasury receipt or the Crossed Indian Postal Order is not attached thereto.

(v) No cash payment or Money Order or cheque or Uncrossed Indian postal order or court fee or Revenue Stamp will be accepted.

11. (i) A candidate who is practising or has practised at the bar or who is or was a Police Prosecutor or Assistant public prosecutor shall attach along with his/her application, a certificate in the duplicate from the Presiding Officer of the Court in which he/she is or was actually practising testifying to his/her practical knowledge of general suitability for appointment as a Munsiff.

(ii) A candidate who is or was practising at the bar or who is or was a Police prosecutor or Assistant Public Prosecutor shall also attach a certificate or certificates in duplicate from the Presiding Officer or presiding officers of the Court or Courts in which he/she has actually practised or is actually practising or of the Registrar of the High Court in testimony of the actual period of such practice and indicating that the total period of practice put in is not less than four years immediately before the last date fixed for submission of application.

(iii) A candidate who is or was Serving in the High Court of Mysore or a Court Subordinate to the High Court of Mysore or in the Law Department of Mysore Government Secretariat or in the Office of the Advocate General for Mysore shall attach along with the his/her application a certificate in duplicate of the Registrar of the High Court of Mysore or of the District and Sessions Judge or of the Chief Secretary to the Government of Mysore or of the Advocate General for Mysore under whom he/she is or was working as the case may be, testifying to the fact of his/her service in the concerned Courts Departments/Offices and to the fact that total period of requisite service and/or practice is not less than four years.

(iv) A candidate who is or was serving as a temporary Munsiff under Rule 15A of the Mysore Munsiffs (Recruitment) Rules, 1958, as it stood prior to its repeal by the Mysore Munsiff (Recruitment) (Second Amendment) Rules, 1963 shall produce proof of practice or service as hereunder ;—

For practice :—A certificate or certificates in duplicate from Presiding Officer/Officers of the Court or Courts in which he/she practices or has practiced or from the Registrar of the High Court indicating the total period of his/her practice next before his/her appointment as such a Munsiff.

For Service :—A certificate in terms of clause (iii) above from the authorities mentioned therein.

He/she shall also produce a certificate in duplicate from the Registrar of the High Court or from the District Judge showing : (1) his/her appointment as such Munsiffs, (2) the date of appointment, and (3) total period of service as such Munsiff next before the last date fixed for the receipt of applications mentioned in the notification.

(v) Every candidate shall produce certificates in duplicate of good character from the Principal of the college or the Institution in which he/she last educated and from a Gazetted Officer or other responsible Person *not being a relation but who is well acquainted with him/her in private life.

*Note:— Certificates issued not earlier than six months.

12. No candidate shall be admitted to the examination unless he/she holds an Admission Certificate issued by the Commission.

13 (1) The eligibility of candidates for appointment as Munsiffs shall be determined by the Commission on the basis of the aggregate marks obtained in the written and *viva-voce* examination.

Provided that no candidate who obtains less than forty per cent of the marks in the language paper or forty five per cent of the marks in each of the three law papers in the written examination or less than forty-five per cent of the aggregate marks in the written and *viva-voce* examinations shall be declared to be eligible for appointment as Munsiff.

(2) Notwithstanding anything contained in sub-para (1) of para 13 above and in Appendix I to this Notification, no candidate who obtains less than forty per cent of the marks in the language paper or forty-five per cent in each of the three law appers in the written examination, shall be eligible for the *viva-voce* examination.

14. The names of candidates successful in the Competitive Examination shall be published by the Commission in the Mysore Gazette, in the order of merit. Appointments to the Cadre of Munsiffs shall be made in the order in which the names of these successful candidates appear in the list.

Note :- (a) For claiming the benefit of reservation in favour of Backward Classes, the candidate should send certificate in duplicate as at Appendix III of the Notification along with his/her application, issued not earlier than one year by a Revenue Officer not below the rank of a Tahsildar.

(b) Candidates claiming the benefit of the reservations for the Scheduled Castes and Scheduled Tribes respectively should furnish along with their applications, a Certificate in duplicate in the *Proforma* as at Appendix IV after obtaining the same from the authorities indicated therein.

15. The list of successful candidates in the competitive examination shall be in operation for a period of one year from the date of publication of the list in the *Mysore Gazette* :

Provided that Government may extend the period of operation of the list until the next list of successful candidate becomes available. All appointments within that period shall be made from candidates included in the list.

16. No person shall be appionted as a Munsiff who having regard to his/her Character and antecedents, is not considered suitable by Government in all respects for appoitment to the post of Munsiff.

17. No person shall be appointed as Munsiff unless he/she be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his/her duties as a member of the service. Before, a candidate who has passed a competitive examination is finally selected for appointment in the service he/she shall be required to pass an examination by a Medical Board, after paying such fees as may be specified in this behalf.

18. A candidate finally selected will be appointed on probation for a period of one year but the period of probation may be extended by the High Court of Mysore at its descretion. During the period of probation, the candidate shall qualify in the Kannada Language Examination and such other examinations as may be prescribed.

19. The services of a candidate who does not qualify in such examinations or who in the opinion of Government has failed to give satisfaction at the end of the period of probation including the extended period if any, shall be liable to be terminated without any compensation

20. Completed applications with all the required certificates must be forwarded to the Secretary, Mysore Public Service Commission, Bangalore, addressed to her by designation and not by name, so as to reach her on or before 5th February 1971 at 4-30 p. m. Both the envelopes and the applications should be superscribed with the words "Application for competitive examination for recruitment of Munsiffs".

Note:—This time limit applies to all candidates including in-service candidates.

21. No notice will be taken of applications not submitted on or before the last dated in the prescribed form or of those which although in the prescribed form do not furnish all the particulars required in the various columns.

22. Candidate who wish to have acknowledgement for the receipt of their applications should send their applications by Registered Post (Acknowledgement Due)or should deliver their applications in person.

23. Candidates who furnish false information in the application are liable to be debarred from appearing for the examination or for entry into Government Service or to be dismissed from service.

24. No recommendation, either written oral, other than those required under this Notification or provided for in the application form shall be accepted. Any attempt on the part of the candidate to canvass support or directly or indirectly for his/her candidature shall disqualify him/her for appointment.

25. Candidates when called for examination and *viva-voce* must appear at their own cost.

26. Attested copies of all the required certificates, testimonials, etc., should be sent in duplicate along with the application within the prescribed date.

27. The provisions of the Mysore Munsiffs (Recruitment) Rules, 1958 amended up-to-date, are applicable in respect of the recruitment of Munsiffs hereby notified.

28. A copy of this Notification is obtainable from this office by sending a self-addressed envelope affixed with 0-35 Paise Postal Stamps.

SMT. ACHALA MOULIK. *Secretary, Mysore Public Service Commission.*

APPENDIX-I

The competitive examination for recruitment to the cadre of Munsiffs in the Mysore Judicial Service shall consist of :—

(a) Written Examination to test the candidates knowledge of Law and languages ; and
(b) A *Viva Voce* Examination.

The syllabus for the competetive examination shall be as follows :—

Written Examination :—

1. Language (Marks 100).—

There will be one paper. A passage in English will be set and the candidate will be required to translate i tinto Kannada, Marathi, Tamil, Telugu or Urdu. Another passage in these languages will be set for the translation form any one of these languages into English.

2. Law—Three Papers.—

First Paper (Marks 100).—Framing of issues and writing Judgment in a Civil Case.

Second Paper (Marks 100).—Framing of Charges and writing Judgement in a Criminal Case.

Third Paper (Marks 100).—Procedure and Constitutional Law, consisting of.—

The Code of Civil Procedure, 1908 (Central Act, 5 of 1908), the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), Indian Evidence Act, 1872 (Act No. 1 of 1872), Principles of Pleading and the Constitution of India.

Viva-Voce (Marks 100).

To test the candidates general knowledge.

APPENDIX II

FORM OF APPLICATION FOR ADMISSION TO THE COMPETITIVE EXAMINATION FOR RECRUITMENT TO THE CADRE OF MUNSIFFS IN THE MYSORE JUDICIAL SERVICE.

1. Full name of the candidate including name or names for which the candidate's initials stand (in block letters).	
2. (*a*) Sex—Whether male or female	
(*b*) Whether married or not	
(*c*) In the case of male married, whether he has more than one wife living.	
(*d*) In the case of female married, whether she has married a person already having another wife living.	
3. Postal address in full	
4. Father's Name	
5. (*a*) Date of Birth (evidence to be produced) ...	
(*b*) Place of birth	
(*c*) Permanent residence	

6 Occupation of candidate	
7 Whether the applicant is Scheduled Caste, Scheduled Tribe or Backward Class or a displaced Goldsmith. If so, a certificate in the prescribed manner should be attached.	
8 (a) Qualifications in Law, class taken and the name of the University from which the qualification was obtained.	
(b) Highest general educational qualifications name of the University from which the candidate graduated, the nature of degree taken and class.	
9 Language chosen for Examination for the prescribed language paper.	
10. Any special grounds which the candidate desire to be considered as indicating his suitability for the post of Munsiff.	
11 Please indicate.— (a) whether you have put in the requisite period of service and/or practice, as the case may be, and (b) whether you have enclosed the certificates required under item 11 (i) to (v) of the notification applicable in your case.	
12 Whether the candidate has remitted the prescribed fee into Government Treasury/Reserve Bank of India or by a Crossed Indian Postal Order and enclosed the same along with the application; if so, the number and date of the Challan/Crossed Indian Postal Order to be mentioned.	
13 Other particulars, if any ...	

Station.....

Date.....

.....,

Signature of the candidate.

7 2

APPENDIX III

(BACKWARD CLASS CERTIFICATE).

1 Name of the Applicant ...	
2 Name of the parent/guardian (if parent is not alive). In the case of guardian, state nature of relationship to the candidate.	
3 Permanent Address ...	
4 Postal Address ...	
5 Occupation of parent/guardian (if parent is not alive). Indicate whether :— (i) Actual Cultivator (ii) Artisan (iii) Petty businessman (iv) Inferior services (*i. e.*, Class IV in Government Service and corresponding class of service in private employment) including casual labour. (v) Any other occupation involving manual labour. (Occupation to be specified)	
6 Total annual income of the parent/guardian (if parent is not alive) from all sources :— (i) Salary (ii) Land and buildings (iii) Other sources.	

DECLARATION BY PARENT/GUARDIAN (IF PARENT IS NOT ALIVE) AND THE CANDIDATE.

We do hereby solemnly and sincerely affirm that the statements made and the information furnished above are true. Should it, however, be found that any information furnished herein is untrue in material particulars, we realise that we are liable to Criminal Prosecution and we are also agreeable to forego the claim for Public Service under the State Government.

.....;
Signature of the Candidate.

.....,
Signature of the parent/guardian
(If the parent is not alive).

Station.....

Dated.....

CERTIFICATE BY REVENUE AUTHORITY

I do hereby certify that I have on enquiry satisifed myself that the annual income of the parent/guardian (i the parent is not alive) of the candidate applying for benefit granted in Government Order No. GAD 177 SSB 62, dated 16th September 1963 to Backward Classes of citizens, is Rs .....

I am also satisfied that the parent/guardian (if the parent is not alive) of the candidate is pursuing one of the * following occupations :—

(i) Actual cultivator.
(ii) Artisan
(iii) Petty Businessman
(iv) Inferior services (i.e. Class–IV in Government services and corresponding class of service in Private employment, including casual labour.
(v) Any other occupation involving manual labour. (occupation to be specified)

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* Stick out whichever is not relevant.

.....

Signature of Tahsildar/Revenue Officer of Higher Rank.

(Seal of the Office)

APPENDIX IV

Form of certificate to be Produced by a candidate belonging to Scheduled Castes and Scheduled Tribes in support of his/her claim.

FORM OF CASTE CERTIFICATE

This is to certify that... .....son/daughter of Sri/Smt.....
of village..... .....District/Division..... ..... in the..... ..... State .... belongs to the..... ..... Community which is recognised as a Scheduled Cast /Scheduled Tribe under the Scheduled Castes and Scheduled Tribes List(Modification) Order 1956, read with the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976, the Constitution (Jammu and Kashmir) Schedule I Castes Order, 1956 the Constitution (Andaman and Nicobar) Scheduled Tribes Order, 1959.

Shri/Smt..... .....and/or his/her ordinarily family reside (s)* in the Village/Town.....
.....of.....District/Division of the.....State/Union Territory of..... .....

Place.....

Date.....

Signature.....,

Designation with seal Office State/Union Territory.

* The term "Ordinary reside" used here has the same meaning as in section 20 of the Representation of People Act, 1950.

(List of authorities empowered to issue Certificate of Verification).

1. District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/I Class Stipendiary Magistrate/City Magistrate*Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.

*(Not below the rank of I Class Stipendiary Magistrate).

2 Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Mgistrate.
3 Revenue Officers not below the rank of Thasildar.
4 Sub Divisonal Officer of the area where the candidate and/or his/her family normally resides
5 Administrator/Secretary to Administrator/Development Officer (Laccadive and Minicoy Islands).